

Docket No.: 50323-017



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Uri TASCH, et al.

Serial No.: 09/827,311

Filed: April 06, 2001

For: METHOD AND APPARATUS FOR DETECTING LAMENESS IN ANIMALS

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Group Art Unit: 3736

Examiner: B.S. Szmal

RULE 1.132 DECLARATION OF URI TASCH

Commissioner for Patents
Washington, DC 20231

Sir:

I, Alan M. Lefcourt, declare and say as follows:

1. I received my Ph.D. in Biomedical Engineering from the University of Southern California in August of 1977. I have been employed as a Research Biomedical Engineer by the U.S. Department of Agriculture since April of 1979. I current work in the Instrumentation and Sensing Laboratory at the Beltsville Agricultural Research Center in Maryland. My current research at Beltsville concerns development of techniques to detect contaminated food products. My work on lameness stems from a previous research program concerning animal well-being. However, all my efforts related to research on lameness were done on my own time and are in no way related to my official USDA duties. I started working on the lameness project, which resulted in the current patent application, in 1997. The prototype detection system was designed in 1997. The design

was finalized and construction began in 1998. This work was done in collaboration with Mark Varner, Uri Tasch, and Benny Erez.

2. I am a named co-inventor on the above-identified application. I have read, and am familiar with the pending Office Action in the above-identified application, with the response filed herewith, and make this Declaration in support of the patentability thereof.

3. The cited reference to **Rajkondawar** is a publication by Parimal Rajkondawar, a graduate student advised by Uri Tasch during his doctoral studies at the University of Maryland, Baltimore County.

4. Parimal Rajkondawar in no way contributed to the inventive steps leading to the invention of the subject matter that is now the subject of U.S. Application No. 09/827,311. Instead, Parimal Rajkondawar made valued contributions to the implementation and testing of the invention developed by myself, Uri Tasch, Mark Varner, and Benny Erez under the direction, supervision, and instruction of Uri Tasch.

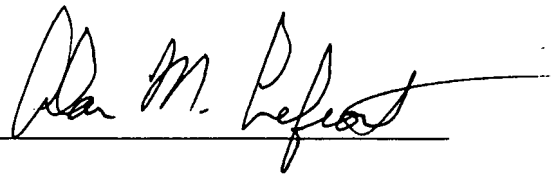
5. Parimal Rajkondawar published the cited information on or about March 23, 2001, following the filing of the pending U.S. Provisional Patent Application No. 60/201,823, filed on May 30, 2000 to highlight his educational background and experience and, preferably solicit and obtain suitable employment upon completion of his doctoral studies in May of 2003.

6. The information published by Parimal Rajkondawar and cited by the Examiner did not reflect the inventive work of Parimal Rajkondawar, but of myself, Uri Tasch, Mark Varner, and Benny Erez.

7. The information published by Parimal Rajkondawar and cited by the Examiner was, in fact, published on or about March 23, 2001, which is after the May 30, 2000, filing date of U.S. Provisional Patent Application No. 60/207,823.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under the provisions of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Dated: 3/10/2003

A handwritten signature in black ink, appearing to read "Alan M. Lefcourt", written over a horizontal line.

Alan M. Lefcourt
Research Biomedical Engineer